

# **EXHIBIT A**



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## MARCH 2018

## NOTICE PROGRAM

*In re: Automotive Parts Antitrust Litigation*

No. 12-md-02311

United States District Court  
for the Eastern District of Michigan

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## FIRM OVERVIEW

Kinsella Media, LLC (“Kinsella”) is a nationally-recognized legal notification firm in Washington, D.C. specializing in the design and implementation of notification programs to reach unidentified putative class members primarily in consumer and antitrust class actions and claimants in bankruptcy and mass tort litigation.

Kinsella has developed and directed some of the largest and most complex national notification programs, primarily in antitrust, bankruptcy, consumer fraud, mass tort, and product liability litigation. Specific cases have spanned a broad spectrum of issues, including asbestos, breast implants, home siding and roofing products, infant formula, pharmaceuticals, polybutylene plumbing, tobacco, and Holocaust claims. The firm has developed or consulted on over 1,000 notification programs and placed over \$400 million in paid media notice.

Kinsella develops advertisements, press materials, websites, and other notice materials that bridge the gap between litigation complexities and the need for a clear and simple explanation of legal rights. The firm employs industry-recognized tools of media measurement to quantify the adequacy of the notice for the court and ensures all notice materials are in “plain language” and fully compliant with Rule 23 of the Federal Rules of Civil Procedure (“Rule 23”) and comparable state guidelines.

## CASE BACKGROUND: SITUATION ANALYSIS

Kinsella developed this Notice Program (the “March 2018 Notice Program”) to include the third round of Settlements in *In re: Automotive Parts Antitrust Litigation* (“Round 3 Settlements”). The lawsuits claim that the largest suppliers of auto parts globally and in the United States agreed to fix and artificially raise the price of certain auto parts. As a result, consumers and businesses may have paid more than they would have without this agreement.

In May 2016, Settlements with 11 Settling Defendants (“Round 1 Settling Defendants”) received final approval. In July 2017, Settlements with 12 additional Settling Defendants (“Round 2 Settling Defendants”) received final approval. New Settlements have now been reached with 32 Settling Defendants (“Round 3 Settling Defendants”). All of these agreements resolve claims that the manufacturers fixed the price of certain auto parts.

The Round 3 Settling Defendants are:

1. Aisan Industry Co., Ltd.; Franklin Precision Industry, Inc.; Aisan Corporation of America; and Hyundai Industrial Co., Ltd. (collectively, “Aisan”),
2. ALPHA Corporation and Alpha Technology Corporation (collectively, “ALPHA”),
3. Alps Electric Co., Ltd.; Alps Electric (North America), Inc.; and Alps Automotive Inc. (collectively, “Alps”),
4. Robert Bosch GmbH and Robert Bosch LLC (collectively, “Bosch”),
5. Bridgestone Corporation and Bridgestone APM Company (collectively, “Bridgestone”),

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6. Calsonic Kansei Corporation and Calsonic Kansei North America, Inc. (collectively, “Calsonic”),
7. Chiyoda Manufacturing Corporation and Chiyoda USA Corporation (collectively, “Chiyoda”),
8. Continental Automotive Electronics LLC, Continental Automotive Korea Ltd, and Continental Automotive Systems, Inc. (collectively, “Continental”),
9. Diamond Electric Mfg. Co., Ltd. and Diamond Electric Mfg. Corporation (collectively, “Diamond Electric”),
10. Eberspächer Exhaust Technology GmbH & Co. KG and Eberspächer North America Inc. (collectively, “Eberspächer”),
11. Faurecia Abgastechnik GmbH; Faurecia Systèmes d’Échappement; Faurecia Emissions Control Technologies, USA, LLC; and Faurecia Emissions Control Systems, N.A. LLC f/k/a Faurecia Exhaust Systems, Inc. (collectively, “Faurecia”),
12. Hitachi Automotive Systems, Ltd. (“HIAMS”),
13. Hitachi Metals, Ltd.; Hitachi Cable America Inc.; and Hitachi Metals America, Ltd.; (collectively, “Hitachi Metals”),
14. INOAC Corporation; INOAC Group North America, LLC; and INOAC USA Inc. (collectively, “INOAC”),
15. JTEKT Corporation; JTEKT Automotive North America, Inc.; and JTEKT North America Corp. (formerly d/b/a Koyo Corporation of U.S.A.) (collectively, “JTEKT”),
16. Kiekert AG and Kiekert U.S.A., Inc. (collectively, “Kiekert”),
17. Koito Manufacturing Co., Ltd. and North American Lighting, Inc. (collectively, “KOITO”),
18. MAHLE Behr GmbH & Co. KG and MAHLE Behr USA Inc. (collectively, “MAHLE Behr”),
19. MITSUBA Corporation and American Mitsuba Corporation (collectively, “MITSUBA”),
20. Nachi-Fujikoshi Corp. and Nachi America Inc. (collectively, “Nachi”),
21. NGK Insulators, Ltd. and NGK Automotive Ceramics USA, Inc. (collectively, “NGK Insulators”),
22. NGK Spark Plug Co., Ltd. and NGK Spark Plugs (U.S.A.), Inc. (collectively, “NGK Spark Plugs”),
23. Nishikawa Rubber Company, Ltd. (“Nishikawa”),
24. NTN Corporation and NTN USA Corporation (collectively, “NTN”),
25. Sanden Automotive Components Corporation; Sanden Automotive Climate Systems Corporation; and Sanden International (U.S.A.) Inc. (collectively, “Sanden”),
26. SKF USA Inc. (“SKF”),
27. Tenneco Inc.; Tenneco GmbH; and Tenneco Automotive Operating Co., Inc. (collectively, “Tenneco”),
28. Toyo Tire & Rubber Co. Ltd.; Toyo Tire North America OE Sales LLC; and Toyo Automotive Parts (USA), Inc. (collectively, “Toyo”),
29. Usui Kokusai Sangyo Kaisha, Ltd and Usui International Corporation (collectively, “Usui”),
30. Valeo S.A. (“Valeo”),
31. Yamada Manufacturing Co. Ltd. and Yamada North America, Inc. (collectively, “Yamada”), and
32. Yamashita Rubber Co., Ltd. and YUSA Corporation (collectively, “YAMASHITA”).

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The Round 1 Settling Defendants included:

1. Autoliv, Inc.; Autoliv ASP, Inc.; Autoliv B.V. & Co. KG; Autoliv Safety Technology, Inc.; and Autoliv Japan Ltd.,
2. Fujikura, Ltd. and Fujikura Automotive America LLC,
3. Hitachi Automotive Systems, Ltd.,
4. Kyungshin-Lear Sales and Engineering, LLC,
5. Lear Corporation,
6. Nippon Seiki Co., Ltd.; N.S. International, Ltd.; and New Sabina Industries, Inc.,
7. Panasonic Corporation and Panasonic Corporation of North America,
8. Sumitomo Electric Industries, Ltd.; Sumitomo Wiring Systems, Ltd.; Sumitomo Electric Wiring Systems, Inc. (incorporating K&S Wiring Systems, Inc.); and Sumitomo Wiring Systems (U.S.A.) Inc.,
9. T.RAD Co., Ltd. and T.RAD North America, Inc.,
10. TRW Deutschland Holding GmbH and ZF TRW Automotive Holdings Corp. (formerly known as “TRW Automotive Holdings Corp.”), and
11. Yazaki Corporation and Yazaki North America, Incorporated.

The Round 2 Settling Defendants included:

1. Aisin Seiki Co., Ltd. and Aisin Automotive Casting, LLC,
2. DENSO Corporation; DENSO International America, Inc.; DENSO International Korea Corporation; DENSO Korea Automotive Corporation; DENSO Automotive Deutschland GmbH; ASMO Co., Ltd.; ASMO North America, LLC; ASMO Greenville of North Carolina, Inc.; and ASMO Manufacturing, Inc.,
3. Furukawa Electric Co., Ltd. and American Furukawa, Inc.,
4. G.S. Electech, Inc.; G.S. Wiring Systems Inc.; and G.S.W. Manufacturing Inc.,
5. LEONI Wiring Systems, Inc. and Leonische Holding Inc.,
6. Mitsubishi Electric Corporation; Mitsubishi Electric US Holdings, Inc.; and Mitsubishi Electric Automotive America, Inc.,
7. NSK Ltd., NSK Americas, Inc.; NSK Steering Systems Co., Ltd.; and NSK Steering Systems America, Inc.,
8. Omron Automotive Electronics Co. Ltd.,
9. Schaeffler Group USA Inc.,
10. Sumitomo Riko Co., Ltd. and DTR Industries, Inc.,
11. Tokai Rika Co., Ltd. and TRAM, Inc. d/b/a Tokai Rika U.S.A. Inc., and
12. Valeo Japan Co., Ltd., on behalf of itself and Valeo Inc.; Valeo Electrical Systems, Inc.; and Valeo Climate Control Corp.

Depending upon the case, Settlement Class Members are included in the Settlements if, from 1995 to 2018, they: (1) bought or leased a qualifying new vehicle in the U.S. for their own use (not for resale), or (2) paid to replace a qualifying part in their vehicle. In general, the qualifying vehicles include four-wheeled passenger automobiles, cars, light trucks, pickup trucks, crossovers, vans, mini-vans, and sport utility vehicles. The Round 3 Settlements provide monetary recovery (“damages”) for consumers and businesses in 30 states and the District of Columbia. The Round 3 Settlements also include non-monetary relief, including Settling Defendants’ cooperation in the ongoing litigations. With the

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exception of Eberspächer, Hitachi Metals, MAHLE Behr, NGK Spark Plugs, and NTN, the Round 3 Settling Defendants have also agreed not to engage in the conduct that is the subject of the lawsuits.

The Statewide Damages Classes that may be eligible for monetary recovery include consumers in the District of Columbia and the following states: Arizona, Arkansas, California, Florida, Hawaii, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, and Wisconsin.

Paid and earned media is necessary to reach unidentified Settlement Class Members.

## NOTICE PROGRAM OVERVIEW: **PROGRAM COMPONENTS**

The March 2018 Notice Program outlines procedures to provide notice of the above referenced Settlements in *In re: Automotive Parts Antitrust Litigation* as a class action, consistent with the requirements set forth in Rule 23.

Based on information provided by Co-Lead Class Counsel, the results of research on Settlement Class Members and their response to media, and the media habits of the target audience, Kinsella recommends the following notice program.

- **INDIVIDUAL NOTICE:** The Settlement Administrator, Garden City Group, LLC (“GCG”), will send an email or mailed alert to those individuals who previously registered on the Settlements’ website, [www.AutoPartsClass.com](http://www.AutoPartsClass.com), or filed a claim.
- **PAID MEDIA-BASED NOTICE:** Kinsella recommends paid media notice comprised of print publications and Internet that will reach Class Members, including:
  - Consumer magazines, newspaper supplements, a national newspaper, trade publications, and
  - Internet banner ads on multiple networks, hundreds of targeted websites, a trade magazine website, and a fleet association website.
- **EARNED MEDIA:** Kinsella recommends amplifying paid media notice efforts with earned media, including:
  - Media Outreach,
  - Multimedia News Release,
  - Statewide Press Releases, and
  - Keyword Search Advertising.

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To complement the March 2018 Notice Program and ensure Class Members' easy access to updated information, Kinsella recommends updating the dedicated informational website, [www.AutoPartsClass.com](http://www.AutoPartsClass.com).

## **INDIVIDUAL NOTICE**

GCG will send an email or mailed notice to those individuals who previously registered on the litigation website, [www.AutoPartsClass.com](http://www.AutoPartsClass.com), or filed a claim.

Potential Settlement Class Members who provided a valid email address will receive an email alert that notifies them about the Settlements and directs them to visit the website to read updated information about the Settlements and the litigation. GCG will mail a postcard alert to potential Settlement Class Members who provided only a mailing address.

In addition, the updated Detailed (or Long-Form) Notice will be sent via first-class mail to all potential Settlement Class Members who call or write to request a copy as a result of seeing the toll-free number or PO Box address. The Detailed Notice will also be available on the informational website as a PDF file. The toll-free information line and informational website address will appear prominently in the Detailed Notice.

## **PAID MEDIA PROGRAM**

To reach Class Members, Kinsella recommends using measurable paid media. Paid media advertising is guaranteed to appear, allowing for control of the content, timing, and positioning of the message.

When considering which media to use for this case, Kinsella evaluated the latest media survey to determine the media consumption habits of the following target audience: Adults 18 years of age and older who currently own or lease a new motor vehicle ("New Vehicle Owners/Lessees"). Kinsella also reviewed historical media survey data for New Vehicle Owners/Lessees over the entire class period and found that the demographics of this target audience have not changed significantly during this time. Therefore, the proposed target audience of New Vehicle Owners/Lessees is an appropriate target for media selection and measurement.

Based on data regarding the target audience's media consumption, Kinsella researched the most appropriate media outlets for this case. Kinsella reviewed available consumer magazines, newspapers, newspaper supplements, and Internet networks for reach of the target audience. Magazine, newspaper supplement, newspaper, and Internet advertising will provide an efficient plan to reach New Vehicle Owners/Lessees.

The Settlement Classes also include businesses, specifically fleet owners. As noted below, fleet owners are not measured in the survey data used to review media consumption habits. However, supplemental

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paid media (national newspaper, trade publication, and Internet advertising) is included in the March 2018 Notice Program to reach fleet owners.

## **PAID MEDIA PLACEMENTS SUMMARY**

The following list provides a brief summary of Kinsella's recommended media placements in this case. More detailed information about each publication and its applicability to the target audience in this case appears below.

### **PRINT PUBLICATIONS**

#### **Newspaper Supplements**

- *Relish*
- *Parade*

#### **Consumer Magazines**

- *ESPN The Magazine*
- *People*
- *Reader's Digest*
- *Motor Trend*

#### **Newspaper**

- *Wall Street Journal*

#### **Trade Publications**

- *Automotive News*
- *Automotive Fleet*

### **ONLINE MEDIA**

#### **Internet Banner Ads**

- Collective
- Conversant
- Facebook
- Oath (formerly known as Advertising.com and Yahoo!)
- LinkedIn
- Xaxis
- *Auto Rental News* website ([www.autorentalnews.com](http://www.autorentalnews.com))
- National Association of Fleet Administrators website ([www.nafa.org](http://www.nafa.org))

#### **Targeted Internet**

#### **Keyword Search**

- Google (includes search partners)
- Bing (includes search partners)

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## PAID MEDIA METHODOLOGY

Kinsella notice programs directed to Class Members: (1) identify the demographics of Class Members and establish a target audience, (2) outline the methodology for selecting the media and other program elements and how they relate to product usage or exposure, and (3) provide results that quantify for the court the adequacy of the notice based upon recognized tools of media measurement.

In the wake of the Supreme Court's decisions in *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579 (1993) and *Kumho Tire Co. v. Carmichael*, 526 U.S. 137 (1999), the reliability of a notice expert's testimony may be tested against the standards developed within the media industry for determining to what degree and at what frequency a target audience has been reached. In assessing the expert's reliability, the court must determine whether the testifying expert "employs in the courtroom the same level of intellectual rigor that characterizes the practice of an expert in the relevant field." *Kumho*, 526 U.S. at 152. That showing may utilize evidence that the expert's data and methodology are similar to that used by professionals in the relevant field.

In keeping with the *Daubert* and *Kumho* rulings, Kinsella employs methodology and measurement tools used in the media planning and advertising industry for designing and measuring the adequacy of a paid media program to reach a particular audience.

Choosing a target audience that encompasses the characteristics of Class Members is the first step when designing the paid media program. Kinsella chooses media outlets based on their ability to provide effective and cost-efficient penetration of the target audience. Then, it measures the selected media against the target audience to quantify the reach of the media program and frequency of exposure to the media. Reach and frequency estimates are two of the primary measurements used to quantify the media penetration of a target audience.

- **Reach** is the estimated percentage of a target audience that is exposed one or more times through a specific media outlet or combination of media outlets within a given period.
- **Frequency** is the estimated average number of opportunities an audience member has to see the notice.

## TARGET AUDIENCE: SELECTION METHODOLOGY

To develop a profile of the demographics and media habits of potential Class Members, Kinsella analyzed syndicated data available from GfK MRI's *2017 Doublebase Study*.<sup>1</sup>

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<sup>1</sup> Since 1979, GfK MRI's *Survey of the American Consumer* has conducted detailed polling of a large sample of U.S. adults about the media they see and hear and the products they use. Participants in the survey are identified by age, occupation, income, education, and where they live, among other things. They are asked what magazines and newspapers they read, what TV shows and cable channels they watch, and about Internet access and radio formats. Survey data indicate the brands and products they use from among 600 categories

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GfK MRI is the leading U.S. supplier of multimedia audience research. As a nationally accredited media and market research firm, it provides information to magazines, television, radio, Internet, other media, leading national advertisers, and over 450 advertising agencies – including 90 of the top 100 in the U.S. GfK MRI's nationally syndicated data is widely used by these companies as the basis for the majority of the media and marketing plans written for advertised brands in the U.S.

Specifically, GfK MRI presents a single-source measurement of major media, products, services, and in-depth consumer demographic and lifestyle characteristics. GfK MRI provides data on media usage, audience composition, and other relevant factors pertaining to all major media types as well as print readership for Adults 18 years and older in the U.S. ("Adults 18+"). Data is not collected on people under the age of 18.

Kinsella will measure media against the following primary target:

- New Vehicle Owners/Lessees

Using New Vehicle Owners/Lessees for media selection and measurement purposes is appropriate for this case because it is the closest measurable target to the Class (individuals who bought or leased a new vehicle or paid to replace a qualifying part in their vehicle from 1995 to 2018). According to GfK MRI, the demographics for New Car Owners has not changed in at least 20 years.

The Settlement Classes are made up of individual car owners/lessees as well as fleet owners. As discussed, New Vehicle Owners/Lessees are measured in GfK MRI; however, fleet owners or replacement part purchasers are not measured in the survey data. Kinsella believes that the target audience of New Vehicle Owners/Lessees is appropriate for all of the Classes because it is highly likely that fleet owners and replacement part purchasers bought or leased new motor vehicles during the relevant class periods. However, business publications (newspaper and trade publications) and Internet advertising (on a fleet association website) included in the plan will specifically target fleet owners, and replacement part purchasers will also have opportunities to see the notice.

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and 6,500 consumer brands. The data from this survey is used by media practitioners industry-wide to characterize media and product users by demographics and account for and compare the size and make-up of media audiences. The *Doublebase Study* consists of two years of *Survey of the American Consumer* data. (GfK MRI was known until mid-2010 as Mediamark Research & Intelligence or MRI.)

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## DEMOGRAPHICS

Based on GfK MRI data, the table below outlines the demographics of New Vehicle Owners/Lessees and the demographics of Adults 18+ for comparison purposes:

<b>DEMOGRAPHICS</b>	<b>ADULTS 18+</b>	<b>NEW VEHICLE OWNERS/LESSEES</b>
<b>Gender</b>		
Male	48.3%	48.3%
Female	51.7%	51.7%
<b>Age</b>		
18-24	12.4%	10.4%
25-34	17.8%	15.7%
35-44	16.5%	16.3%
45-54	17.7%	18.4%
55-64	16.7%	18.2%
65+	19.0%	21.0%
<b>Education</b>		
Graduated/Attended College	58.4%	66.5%
Graduated High School	29.4%	25.8%
<b>Household Income<sup>2</sup></b>		
Under \$20,000	12.8%	5.0%
\$20,000 - \$39,999	17.6%	12.7%
\$40,000 - \$59,999	15.8%	14.6%
\$60,000 - \$74,999	10.2%	10.5%
\$75,000+	43.6%	57.2%
\$100,000+	30.2%	42.1%
<b>Ethnicity<sup>3</sup></b>		
Caucasian	75.3%	80.4%
African-American	12.7%	8.5%
Hispanic	15.5%	13.5%
Asian	3.4%	4.0%
Other	9.6%	8.0%
<b>Location<sup>4</sup></b>		
A & B Counties (Metro)	71.5%	74.7%
C & D Counties (Rural)	28.5%	25.3%

<sup>2</sup> The total percentages listed do not equal exactly 100% percent because GfK MRI rounds up all percentages to the nearest tenth of a decimal.

<sup>3</sup> The GfK MRI *Doublebase Study* allows for multi-classification of an individual's ethnicity. Therefore, the sum of all ethnicities may be greater than 100%.

<sup>4</sup> A Counties, as defined by A.C. Nielsen Company ("Nielsen"), are all counties belonging to the 25 largest metropolitan areas. These metro areas correspond to the standard Metropolitan Statistical Areas and include the largest cities and consolidated areas in the United States. B Counties are all counties not included under A that have either a population greater than 150,000 or are in a metro area with a population greater than 150,000 according to the latest census. C Counties are all counties not included under A or B that either have a population greater than 40,000 or are in a metro area with a population greater than 40,000 according to the latest census. D Counties are, essentially, rural counties.

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Based on this information, the demographics of New Vehicle Owners/Lessees include:

- 57.6% are adults 45 years of age or older,
- 66.5% have graduated or attended college,
- 67.7% have a household income of \$60,000 or more, and
- 74.7% live in metro counties.

## MEDIA USAGE

Individuals spend varying amounts of time with different media. Certain demographic groups may be heavy consumers, light consumers, or non-users of a particular medium. For example, GfK MRI data show that individuals who are less educated are likely to be heavy television viewers and light newspaper readers. Conversely, highly educated individuals are more likely to be heavy newspaper readers and light television viewers.

Kinsella notice plans focus on the media types used most often by the target audiences. To examine their media habits, Kinsella compares the target audience's media usage to Adults 18+ in usage quintiles reported by GfK MRI. The study ranks respondents based on their amount of exposure to a medium and divides them into five equal-sized groups ("quintiles") from heaviest usage (1) to lightest usage (5).

The media usage of the target audience in each quintile is expressed as an index. An index of 100 is the average adult's usage of a particular medium. Therefore, an index above 100 indicates a heavier usage of the medium than the average adult, and an index below 100 indicates a lighter usage of the medium than the average adult.

The target audience's top two quintiles (heaviest and next heaviest usage) for each type of media are:

<b>MEDIA</b>	<b>ADULTS 18+</b>	<b>NEW VEHICLE OWNERS/LESSEES</b>
<b>Magazine</b>		
Quintile 1	100	100
Quintile 2	100	107
<b>Newspaper</b>		
Quintile 1	100	113
Quintile 2	100	95
<b>Radio</b>		
Quintile 1	100	94
Quintile 2	100	105
<b>Television</b>		
Quintile 1	100	91
Quintile 2	100	103
<b>Internet</b>		
Quintile 1	100	99
Quintile 2	100	105

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This information indicates that New Vehicle Owners/Lessees are average to above-average consumers of magazines, newspapers, and the Internet.

## **MEDIA SELECTION**

In a fragmented media landscape, a multimedia plan can increase coverage to reach our target audience (New Vehicle Owners/Lessee) because it gives them more opportunities to be exposed to the message.

Kinsella evaluated the proposed media campaign by considering the most appropriate media to convey the message. Planning in today's media environment is complex given the many choices consumers and businesses have to obtain information. Each media type offers specific benefits in communication. A mix of media types allows us to take advantage of these complementary tactics.

Like the overall U.S. population, New Vehicle Owners/Lessee are made up of individuals with diverse characteristics and interests (*see Demographics section*). The person who buys a BMW M5 is different than the person who buys a Toyota Sienna – their income, lifestyle, and media choices often differ. Therefore, media must effectively and efficiently reach all members of these Classes. In the proposed March 2018 Notice Program, Kinsella considered the Program's objectives and determined that a media mix including print and Internet advertising was the most appropriate approach.

Kinsella looked at the different age segments of New Vehicle Owners/Lessee to better understand their media habits. As the chart below shows, Kinsella used different magazines and websites to reach various sub-groups of New Vehicle Owners/Lessee. Online networks will deliver the notice across a wide variety of sites to a broad range of ages. While online efforts will allow us to reach the younger segment, Adults 18-34, it will also reach Adults who are 35 years of age or older. Although the individual components may differ from the previous notice programs, the media channels themselves remain the same, as they are aligned with the target audience's media habits.

<b>MEDIA</b>	<b>PRIMARY TARGET</b>	<b>COMPOSITION*</b>	<b>MEDIAN AGE</b>
<i>Relish</i>	Women 25+	44.6%	NA
<i>Parade</i>	Adults 45+	51.9%	56
<i>ESPN The Magazine</i>	Adults 25+	43.2%	37
<i>People</i>	Women	48.9%	47
<i>Reader's Digest</i>	Adults 50+	49.5%	56
<i>Motor Trend</i>	Women 35+	50.1.3%	42
<i>The Wall Street Journal</i>	Business/High Income	63.1%	55
<i>Automotive News</i>	Businesses	Not Measured	Not Measured
<i>Automotive Fleet</i>	Businesses	Not Measured	Not Measured
Online Usage	Adults 18+	84.5%	34

\*Read: 44.6% of *Relish* readers own or lease a new car.

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These publications were selected for a variety of reasons, including appropriateness for the target audience and capability of cost-effective reach. *Parade* and *Relish*, due to their massive circulation, are among the highest reaching publications against the target audience, providing an opportunity for a large number of New Vehicle Owners/Lessees to see the Notice. A majority of the readers of *ESPN The Magazine*, *People*, *Reader's Digest*, and *Motor Trend* are New Vehicle Owners/Lessees. *The Wall Street Journal*, *Automotive News*, and *Automotive Fleet* were included to reach business readers and fleet owners. In combination with their high reach capabilities, the selected publications deliver a very cost-effective reach of New Vehicle Owners/Lessees.

## PAID MEDIA PLACEMENTS: **NEWSPAPER SUPPLEMENTS**

*Relish* and *Parade* are newspaper supplements that are inserted into weekend or Sunday editions of newspapers nationwide. These magazines, printed on newsprint, contain articles written for broad, general appeal and encourage readership through brevity. Issues are typically fewer than 30 pages. For the March 2018 Notice Program, Kinsella selected newspaper supplements because of their cost-effective reach of the target audience. Kinsella will publish the Summary Notice as described further below.

*Relish* appears in approximately 650 newspapers, and *Parade* appears in approximately 624 newspapers. There is a small amount of overlap, as some newspapers carry more than one supplement, so these numbers are not cumulative. *Parade* reaches every major media market in the country. The selected supplements provide coverage in all 50 states and the District of Columbia. A list of the newspapers into which the selected supplements are inserted can be provided to the Court upon request.

Kinsella recommends the following newspaper supplement placements:



- A digest-page ad (4.562" x 6.562") in *Relish* with an estimated circulation of 8,800,000.
- *Relish* is published 11 times a year. It covers content related to cooking, dining, and entertaining.



- A 2/5-page ad (4.562" x 6.562") in *Parade* with an estimated circulation of 20,000,000.
- *Parade* is the highest circulating magazine in the world. Carrier newspapers serve major urban and suburban markets in the U.S.

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## CONSUMER MAGAZINES

Most adults read one or more magazines during an average month, and nearly three out of five adults read or look at a magazine daily. Weekly magazines quickly accumulate readership and provide timely and efficient notice to readers. Kinsella chose the specific consumer magazines listed below because they are among the highest ranking in coverage of the target audience.

Kinsella recommends the following consumer magazine placements:



- A half-page ad (3.875" x 11") in *ESPN The Magazine* with an estimated circulation of 2,100,000.
- *ESPN The Magazine* is a bi-weekly publication covering issues and trends, both on the field and in the lives of today's highest-profile athletes.



- Two half-page ads (3.375" x 10") in *People* with an estimated circulation of 3,400,000.
- *People* is a weekly publication covering contemporary personalities in entertainment, politics, business, and other current events.



- A full-page ad (4.687" x 6.75") in *Reader's Digest* with an estimated circulation of 3,000,000.
- *Reader's Digest* is a compendium published 10 times a year, of selected excerpts from other publications as well as original pieces.



- A half-page ad (6.875" x 4.813") in *Motor Trend* with an estimated circulation of 1,000,000.
- *Motor Trend* is a monthly publication providing automotive information and entertainment for new vehicle shoppers and automotive enthusiasts.

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## SUPPLEMENTAL BUSINESS PUBLICATIONS

To ensure that business owners, specifically fleet owners, have an opportunity to see information about the Settlements, the Publication Notice will appear in a national newspaper and two trade publications.

Kinsella recommends the following placements:

### THE WALL STREET JOURNAL.

- A sixth-page ad (5.35" x 7") in the daily edition of *The Wall Street Journal* with an estimated circulation of 1,180,498.
- *The Wall Street Journal* is one of the top business news publications in the world.

### Automotive News

- A half-page ad (5.4375" x 10") in *Automotive News* with an estimated circulation of 56,684.
- *Automotive News* is a weekly publication covering current events and developments involving the automotive trade.

### automotive **FLEET**

- A full-page ad (7" x 10") in *Automotive Fleet* with an estimated circulation of 21,071.
- *Automotive Fleet* is a monthly publication targeted at car, light, and medium truck/van fleet managers and owners. Content includes fleet management, purchasing, operations remarketing, safety, maintenance, and industry news and statistics.

## TARGET AUDIENCE'S PRINT READERSHIP

Readership includes both primary readers and pass-along readers. Primary readers purchase a publication or are members of a household where the publication was purchased. Pass-along readers are those who read the publication outside the home, in places such as a doctor's office. The table below indicates the estimated number of readers in the target audience of an average issue of the magazine or newspaper supplement:

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PUBLICATION	INSERTIONS	NEW VEHICLE OWNERS/LESSEES
<i>Relish</i>	1	12,712,000
<i>ESPN The Magazine</i>	1	6,275,000
<i>Parade</i>	1	25,159,000
<i>People</i>	2	19,809,000
<i>Reader's Digest</i>	1	9,394,000
<i>Motor Trend</i>	1	3,433,000
<i>The Wall Street Journal</i>	1	1,660,000

GfK MRI does not measure *Automotive News* or *Automotive Fleet*. Therefore, their contribution to the overall reach of the media is not calculated.

## **INTERNET ADVERTISING**

Kinsella recommends incorporating Internet advertising into the March 2018 Notice Program to provide potential Class Members with additional notice opportunities. Over 89% of New Vehicle Owners/Lessees have used the Internet in the past 30 days.<sup>5</sup>

### **INTERNET ADVERTISING**

Internet advertising delivers an immediate message and allows the viewer to click on a banner advertisement and instantly be directed to a website for further information. Banner ads are typically located either at the top or side of a website page. Highly engaging animated banner ads are more likely to capture viewers' attention because they include moving images and text.

Kinsella will produce an animated banner advertisement that will provide information on the Settlements. Kinsella will purchase approximately 297,072,000 gross impressions<sup>6</sup> across various websites/networks, such as those noted below. Impressions will be allocated to maximize exposure during the campaign across websites that are best driving potential Class Members to the website. Delivery of Internet impressions to specific sites and categories within sites are subject to availability at the time Kinsella purchases the media.<sup>7</sup>

A third-party ad management platform will be used to audit the digital components. This platform will combat ad fraud, viewability issues, and brand safety. By tackling ad fraud, Kinsella will have the opportunity to ensure that ads are not served in environment with fake news, sex, drugs, and violence while reducing the investment wasted on fraudulent traffic (ads being seen by 'bots' or non-humans, ads not viewable, etc.).

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<sup>5</sup> GfK MRI.

<sup>6</sup> Gross impressions are the total number of times a media outlet containing the Notice is seen. This figure does not represent the total number of unique viewers of the Notice, as some viewers/readers will see the Notice in more than one media outlet.

<sup>7</sup> The list of properties and websites in the networks changes over time and will be determined at the time of placement.

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Kinsella recommends the following placements (as available):



- Collective is a comScore top 20 ad network that focuses on audience targeting using its proprietary data management technology.



- Conversant is an online network and comScore top 20 ad Network that delivers results based on data and provides deeper engagement using personalization to reach individuals.



- Facebook is a free, global social networking website that helps people communicate with friends, family, and coworkers. Some Facebook ads will be targeted to reach car owners and those who may be included in the Class.



- LinkedIn is an interconnected network of experienced professionals from around the world, representing over 175 industries and 200 countries. Users can find, be introduced to, and collaborate with qualified professionals that they need to work with to accomplish their goals. LinkedIn advertising will be focused on those who follow the automotive industry and belong to groups/associations associated with fleet owners or the fleet industry.



- Oath (formerly known as Advertising.com and Yahoo!) is a Verizon subsidiary that contains AOL, Yahoo, and media brands like HuffPost, TechCrunch, Engadget and many others. It delivers advanced advertising technology solutions across mobile, video, search, native, and programmatic ads.



- Xaxis is a global digital media platform that connects advertisers and audiences across all media channels.

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## **ASSOCIATION AND TRADE PUBLICATION WEBSITE ADVERTISING**

To specifically reach fleet owners, banner advertisements will appear on the following websites:



- *Auto Rental News* is the top trade magazine of the car and truck rental industry.
- Banner advertisements will appear for 4 to 6 weeks on the website associated with this publication ([www.autorentalnews.com](http://www.autorentalnews.com)).



- The National Association of Fleet Administrators ("NAFA") is a professional society that serves the needs of members who manage fleets of automobiles, SUVs, trucks, and vans.
- Banner advertisements will appear for one month on the NAFA website ([www.nafa.org](http://www.nafa.org)).

## **TARGETED INTERNET ADVERTISING**

Targeted Internet advertising will be used to reach potential Class Members using various tactics. This type of advertising allows a banner ad to reach a specific audience. Audiences are segmented into groups such as geography (location), interests, and demographics, based on data collected from their online browsing and other information provided on the Internet. Then, an advertiser can choose which group they want to see their banner ad. Although this advertising is not measurable against a standard target audience (and cannot contribute to reach and frequency measurements), it often can be more effective at getting a response from Internet users.

In the March 2018 Notice Program, targeted Internet advertising will be used to reach specific car owners; individuals interested in automotive topics, car parts, or repair; individuals who've purchased automotive products and aftermarket accessories; and individuals who clicked on related banner ads or previously visited the Settlements' website.

The actual networks or publisher websites are to be determined at the time of placement.

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## KEYWORD SEARCH ADS AND ORGANIC SEARCH

The other Internet tools that Kinsella utilizes are organic and paid keyword searches. Search engines, such as Google and Bing, are crucial for today's online users to find the information they are looking for – the right website, relevant information, and/or the location of a new restaurant in the city.

Nearly everyone who has ever used the Internet has used a search engine, so typing keywords into a search box is a familiar experience. For example, Google shows pages and ads in response to the keywords that are typed. Website administrators rely on these search engines to help drive traffic to their websites. This happens two ways: (1) organic search results and (2) using paid search terms.

- Organic search results are the webpage listings that most closely match the user's search query based on relevance. Relevancy increases as other pages link to the Settlements' website (*e.g.*, if a journalist writes a story and provides a link to the website, this action will help the overall organic ranking).
- Paid results are basically advertisements — website owners pay to have their webpage display for certain keywords, so these listings show up when someone runs a search query containing those keywords.

Kinsella will purchase sponsored links to appear when searchers enter certain terms (*e.g.*, "Auto Parts Settlement"). By purchasing a variety of keywords and phrases that are both broadly and specifically related to the content of a website, Kinsella can ensure that the Settlements' website will appear in the top results of an online user's search query. These results are separated from organic results by placing the word "Ad" next to the website URL. The keyword advertisement will appear at the top of the search results and will direct potential Class Members to the Settlements' website.

## NATIONAL MEDIA DELIVERY

The paid media program outlined in this plan provides Class Members with multiple exposure opportunities to media outlets carrying the Notice and delivers the following estimated reach and frequency measurements to the target audience defined by the 2017 GfK MRI Media + comScore Study:<sup>8,9</sup>

- An estimated 80.5% of New Vehicle Owners/Lessees will be reached with an average estimated frequency of 2.9 times.

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<sup>8</sup> GfK MRI's *Survey of the American Consumer*, providing a single-source dataset of off-line and online media usage by American consumers. The GfK MRI survey provides data on magazine and newspaper reading, television viewing, radio listening, product consumption, psychographic characteristics, computer and Internet access configurations, and geo-demographic characteristics. Data is then combined with comScore, a source of Internet audience measurement for advertising agencies, publishers, marketers, and financial analysts. Combining the two datasets provides unduplicated audience estimates across print and online media.

<sup>9</sup> The trade publications (*Auto Rental News* and *Automotive Fleet*), Internet advertising on the NAFA website, and Targeted Internet advertising are not measured for this target audience, and their contribution to the overall reach of the media is not calculated.

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In comparison, here are the reaches and frequencies of the previous Notice Programs:

<b>PROGRAM</b>	<b>REACH</b>	<b>FREQUENCY</b>
Initial Notice Program	80.4%	2.9
Combined Notice Program	80.5%	3.1
September 2016 Notice Program	80.1%	2.5

The March 2018 Notice Program was designed to be similar to the Initial and September 2016 Notice Programs.

**NOTICE DESIGN:  
DETAILED NOTICE**

The updated Detailed Notice (Long-Form Notice) will be compliant with Rule 23 and consistent with the Federal Judicial Center’s “illustrative” class action notices. Specifically, the Detailed Notice will clearly and concisely state in plain, easily understood language:

- The nature of the action;
- The definition of the classes certified;
- The class claims, issues, or defenses;
- That a class member may enter an appearance through an attorney if the member so desires;
- That the Court will exclude from the class any member who requests exclusion;
- The time and manner for requesting exclusion; and
- The binding effect of a class judgment on members under Rule 23 (c)(3).

This Notice is designed to encourage readership and understanding, in a well-organized and reader-friendly format. Also, the Detailed Notice will prominently feature the toll-free number (1-877-940-5043) and website address for Class Members to obtain more information.

**SUMMARY NOTICE**

Rule 23(c)(2) of the Federal Rules of Civil Procedure requires notices in 23(b)(3) class actions to be written in “plain, easily understood language.” Kinsella applies the plain language requirement in drafting all notices in federal and state class actions. The firm maintains a strong commitment to adhering to the plain language requirement, while drawing on its experience and expertise to draft notices that effectively convey the necessary information to Class Members.

The plain language, updated Summary Notice (also referred to as the Short-Form Notice or Publication Notice) is designed to alert Class Members to the litigation by using a bold headline. This headline will enable Class Members to quickly determine if they are potentially affected by the litigation. Plain

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language text provides important information regarding the subject of the litigation, Class definition, and legal rights available to Class Members. The Summary Notice includes all the substantive information required by Rule 23.

Each notice prominently features the toll-free number and website address for Class Members to obtain the Detailed Notice and other information.

## **WEBSITE AND INTERNET ADS**

An informational, interactive website is a critical component of the March 2018 Notice Program. A website is a constant information source instantly accessible to millions. The website will continue to take advantage of the Internet's ability to serve as a key distribution channel and customer service bureau. The informational website, [www.AutoPartsClass.com](http://www.AutoPartsClass.com), will be updated prior to launch of the March 2018 Notice Program. The site will employ the design characteristics laid out below, so Class Members can easily find the information they need about the Settlements and find out how to contact the Settlement Administrator should the website not address their specific needs.

### **WEBSITE DESIGN**

Combining clean site design, consistent site navigation cues, and search engine optimization, the website will provide Class Members with easy access to the details of the litigation.

- **CLEAN DESIGN:** The site is designed for ease of navigation and comprehension, with user-friendly words and icons. Once the user enters the website from the homepage, a directory located at the top of the page provides links to the information available on the website. This information includes "Court Documents," "Frequently Asked Questions," "Notice Documents," and "Included Vehicles." The website also provides the toll-free number, mailing address, and email address for individuals seeking additional information.
- **CONSISTENT NAVIGATION CUES:** Whenever a user goes from the homepage to another part of the site, links to the homepage and subsections and the case name remain at the top of each page.

### **BANNER AD DESIGN**

Internet banner advertisements are designed to alert Class Members about the litigation and additional settlements by using a bold headline that enables Class Members to quickly determine if they may be affected. When a user clicks the banner advertisement, they will be connected to the Settlements' website.

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## **EARNED MEDIA PROGRAM**

The primary purpose of the earned media portion of the March 2018 Notice Program is to create interest in and awareness of the story, generate media coverage, and get consumers to act on the information.

Kinsella will distribute the message to media outlets (newspapers, websites, television, and radio stations) to spark press interest and generate coverage that will provide potential Class Members with a basic overview of the Round 3 Settlements and how they can obtain further information about their rights or file a claim. This will also help ensure that journalists that report on the story will have complete information, including the Settlements' website and/or phone number.

Earned media programs have proven useful in past notice campaigns. Pitch teams highlight the benefits of the Settlements and any potential refund for consumers and encourage journalists to inform readers. Information about the Round 3 Settlements will be used to draw interest for potential stories about this litigation. This piece will likely help overall response in this case because consumers report high levels of trust in impartial sources, such as editorial content from journalists, academics, and analysts (65%).<sup>10</sup>

Below is more information about these elements:

### **MULTIMEDIA NEWS RELEASE**

Kinsella will distribute a Multimedia News Release ("MNR") with updated information about the Settlements. The MNR combines videos, images, news releases, and other downloadable materials into an interactive web platform that can be easily distributed across the Internet, including social networks. An MNR is recommended over a standard wire news release because it is targeted not just to reporters, but to consumers online. It also tells a story more effectively and visually rather than relying on text and photos alone. According to a recent PR Newswire study, press releases that include multimedia elements (such as videos) and links have 2.8 times more views than a standard text-only press release.<sup>11</sup>

As described in more detail below, the MNR distribution will be supported with email and phone outreach to targeted media outlets to solicit their interest in the story and generate free media coverage. Earned media coverage creates legitimacy and credibility in the minds of the consumers because it is delivered and received through credible organizations, such as newspaper reporters/columnists, television or radio anchors/reporters, influential bloggers, and word-of-mouth on social media networks.<sup>12</sup>

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<sup>10</sup> Cision, *How Earned Media is Changing Your Marketing Strategy* (June 19, 2017), available at [www.cision.com/us/2017/06/earned-media-changing-marketing-strategy/](http://www.cision.com/us/2017/06/earned-media-changing-marketing-strategy/) (last visited February 21, 2018).

<sup>11</sup> Cision, *The State of Multimedia in Press Releases [Study + Infographics]* (January 27, 2016), available at [www.prnewswire.com/blog/the-state-of-multimedia-in-press-releases-study-and-infographic-16244.html](http://www.prnewswire.com/blog/the-state-of-multimedia-in-press-releases-study-and-infographic-16244.html) (last visited February 21, 2018).

<sup>12</sup> Business Insider, *Earned Media And Social Media: How Brands Can Get Beyond The Hype* (July 16, 2013), available at [www.businessinsider.com/earned-media-social-media-beyond-hype-2013-7#ixzz2jmrDEZz7](http://www.businessinsider.com/earned-media-social-media-beyond-hype-2013-7#ixzz2jmrDEZz7) (last visited February 21, 2018).

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## **STATEWIDE PRESS RELEASES**

Kinsella will distribute press releases over PR Newswire to media outlets in the affected 30 states and District of Columbia. The press release will highlight the toll-free telephone number and informational website address, so Class Members can obtain complete information.

## **MEDIA OUTREACH**

Consumers and businesses consider different sources of information when making informed decisions about purchasing or maintaining a vehicle. To reach them, a media pitch team will reach out to a variety of traditional print and online news outlets in the 30 affected states and the District of Columbia, including everything from the Associated Press to the leading auto blog, *Jalopnik*. The media pitch team will look for ongoing opportunities to raise awareness with auto beat and consumer reporters at the national wire services, tier-1 national papers, periodicals (such as *The Wall Street Journal*, *USA Today*, and *U.S. News & World Report*), top-20 regional newspapers, and specialty auto news outlets including *Edmunds*, *Kelly Blue Book (KBB)*, *Car & Driver*, *Motor Trend*, and others.

The aim is to engage these influencers to share news of the additional Settlements with their followers, specifically targeting the informed consumer. The outreach team will continue to follow-up with media outlets to maintain story interest throughout the notice period.

## **MESSAGE DEVELOPMENT**

All earned media outreach materials will be unbiased and informative, designed to provide potential Class Members with a basic overview of the Settlements and how they can obtain further information.

## **TOLL-FREE TELEPHONE SUPPORT**

A Toll-Free Support Line dedicated to these Settlements will be maintained at 1-877-940-5043, so callers can obtain additional information about the litigation. The Interactive Voice Response (IVR) platform will be updated with current information and accessible 24 hours a day, seven days a week. The IVR will provide answers to frequently asked questions and the ability for callers to request that the Settlement Administrator mail them a Detailed Notice. Should a caller have questions not addressed on the IVR, experienced representatives will be available to provide additional assistance Monday through Friday. Also, the toll-free telephone number appears on the informational website and in the Notices.